



13 SEP 2007

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO CA 94105-2482

In re Application of: VON STEIN et al.
U.S. Application No.: 10/589842
PCT Application No.: PCT/SE2005/000231
International Filing Date: 21 February 2005
Priority Date Claimed: 20 February 2004
Attorney Docket No.: 514862001000
For: METHODS AND COMPOSITIONS FOR THE
TREATMENT OR PREVENTION OF SECONDARY
ISCHEMIC INJURY

DECISION

This decision is in response to the "Request for Withdrawal as Attorney or Agent" filed 18 June 2007.

BACKGROUND

On 21 February 2005, applicant filed international application PCT/SE2005/000231, which claimed priority of an earlier Sweden application filed 20 February 2004. The thirty-month period for paying the basic national fee in the United States expired on Tuesday, 21 August 2007.

On 18 August 2006, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national filing fee required by 35 U.S.C. 371(c)(1).

On 18 June 2007, the present request to withdraw as attorney was filed.

DISCUSSION

MPEP § 402.06 states in relevant part,

The Director of the United States Patent and Trademark Office usually requires that there be at least 30 days between *approval* of withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a). This is so that the applicant will have sufficient time to

obtain other representation or take other action. If a period has been set for reply and the period may be extended without a showing of cause pursuant to 37 CFR 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved. In such a situation, however, withdrawal will not be approved unless at least 30 days would remain between the date of approval and the last date on which such a petition for extension of time and fee could properly be filed.

In the present case, at least 30 days remain between approval of the withdrawal and the later of the expiration date of time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a).

CONCLUSION

For the reasons above, the request for withdrawal as attorney or agent is ACCEPTED.

This application is being forwarded to the DO/EO/US for further processing in accordance with this decision.



Tamara Graysay
PCT Special Program Examiner
Office of PCT Legal Administration
(571) 272-6728



Leonard Smith
Supervisory PCT Legal Examiner
Office of PCT Legal Administration